

10/22/99
JC534 U.S. PRO

PATENT

Atty. Docket No. 30585/9
Express Mail Label Nr. EI465234972US

A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

UTILITY APPLICATION AND APPLICATION FEE TRANSMITTAL

ASSISTANT COMMISSIONER FOR PATENTS
Box Patent Application
Washington, D.C. 20231

JC678 U.S. PRO
09/425401
10/22/99

Transmitted herewith for filing is the patent application of

Inventor(s): John S. Yates, Jr., David L. Reese, Paul H. Hohensee

Title: PROFILING PROGRAM EXECUTION TO IDENTIFY FREQUENTLY-EXECUTED PORTIONS AND TO ASSIST BINARY TRANSLATION

Enclosed are:

[X] _139_ page(s) of specification, _7_ page(s) of claims, _1_ page(s) of Abstract

[X] _41_ sheets of drawing [] formal [X] informal

[] Microfiche Appendix, _____ fiche

[X] _2_ page(s) of Declaration and Power of Attorney
[X] Newly Executed

[X] The application is assigned to ATI International SRL. Enclosed please find:
[X] Assignment and Recordation Cover Sheet. Kindly record the Assignment and return it to the undersigned.
[X] A check in the amount of \$40.00 for recording the Assignment.

[X] Return receipt postcard (MPEP 503)

[X] This application claims priority, as a continuation of prior application serial no. 09/385,394, filed August 30, 1999, which is a continuation-in-part (C-I-P) of application serial no. 09/322,443, filed May 28, 1999, which is a continuation-in-part (C-I-P) of application serial no. 09/239,194, filed January 28, 1999. The entire disclosure of the parent applications are incorporated herein by reference.

[] Amend the specification by inserting before the first line the sentence:

This application is a continuation of prior application serial no. 09/385,394, filed

August 30, 1999, which is a continuation-in-part (C-I-P) of application serial no. 09/322,443, filed May 28, 1999, which is a continuation-in-part (C-I-P) of application serial no. 09/239,194, filed January 28, 1999.

CALCULATION OF APPLICATION FEE (For Other Than A Small Entity)

| | Number Filed | | Number Extra | Rate | Fee |
|------------------------------|--------------|------|--------------|-----------|-----------------|
| Base filing fee | | | | | \$760.00 |
| Total Claims | 30 | -20= | 10 | × \$18.00 | \$180.00 |
| Independent Claims | 2 | -3= | 0 | × \$78.00 | \$ 0 |
| Multiple Dependent Claims | [] yes | | | \$260.00 | \$ 0 |
| | [X] no | | | NONE | |
| | | | | Total: | <u>\$940.00</u> |


[X] A check in the amount of \$940.00 in payment of the application filing fees is attached.

[] Charge Fee(s) to Deposit Account No. 50-0324, Order No. 30585/9. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

[X] The Assistant Commissioner is authorized to charge any additional fees that may be required for filing this application, or credit any overpayment, to Deposit Account No. 50-0324, Order No. 30585/9.

Respectfully submitted,
SHEARMAN & STERLING

Dated: October 22, 1999


David E. Boundy
Registration No. 36,461

CORRESPONDENCE ADDRESS:

SHEARMAN & STERLING
599 Lexington Avenue
New York, New York 10022
(212) 848-4000
(212) 848-7179 Facsimile

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: John S. Yates, Jr., et al.

For: PROFILING PROGRAM EXECUTION TO IDENTIFY FREQUENTLY-EXECUTED
PORTIONS AND TO ASSIST BINARY TRANSLATION

CERTIFICATE OF EXPRESS MAILING

"Express Mail" Mailing Label No.: EI465234972US

Date of Deposit: October 22, 1999

I hereby certify that the following:

Checks in the amount of \$940.00 and \$40

Return postcard

This Certificate of Express Mailing

Filing receipt data sheet (2 pages)

Application Transmittal Letter (2 pages)

A Patent Application consisting of: cover page, specification (139 pp.), claims (7pp.),
abstract (1 page)

Drawings (41 sheets informal)

Declaration and Power of Attorney (2 pp.)

Recordation Form Cover Sheet (2 pp.)

Assignment (3 pp.)

are being deposited with the United States Postal Service "Express Mail Post Office to
Addressee" service under 37 C.F.R. Section 1.10 on the Date of Deposit indicated above in an
envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Michael E. Robinson

Signature of Person Making Deposit

95 W 95 St #12G

New York N.Y. 10025

SHEARMAN & STERLING
599 Lexington Avenue
New York, NY 10022
(212) 848-4000